

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JOHN GRIFFIN HEADRICK,

Petitioner,

v.

RICHARD MORGAN,

Respondent.

Case No. C05-5227RBL

ORDER FOR SERVICE AND
RETURN, § 2254 PETITION

(1) The clerk shall arrange for service by certified mail upon respondent, a copy of the petition, of all documents in support thereof, and of this Order, a copy of the Notice of Initial Assignment and Consent to Proceed before a United States Magistrate Judge. All costs of service shall be advanced by the United States. The Clerk shall assemble the necessary documents to effect service. The Clerk shall send petitioner a copy of this Order, the General Order, a copy of the Notice of Initial Assignment and Consent to Proceed before a United States Magistrate Judge. The clerk will also send a courtesy copy of the petition to the Washington State Attorney General's Office Criminal Justice Division.

(2) Within forty-five (45) days after such service, respondent shall file and serve an answer in accordance with Rule 5 of the Rules Governing § 2254 Cases in United States District Courts. As part of such answer, respondents should state whether petitioner has exhausted available

1 state remedies, whether an evidentiary hearing is necessary, and whether there is any issue of abuse
2 of delay under Rule 9. Respondent shall not file a dispositive motion in place of an answer without
3 first showing cause as to why an answer is inadequate. Respondent shall file the answer with the
4 Clerk of Court and serve a copy of the answer upon petitioner.

5 (3) The answer will be treated in accordance with Local Rule CR 7. Accordingly, upon
6 receipt of the Answer the Clerk will note the matter for consideration on the fourth Friday after the
7 answer is filed, petitioner may file and serve a response not later than on the Monday immediately
8 preceding the Friday appointed for consideration of the matter, and respondent may file and serve a
9 reply brief not later than on the Thursday immediately preceding the Friday designated for
10 consideration of the matter.

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13 DATED this 8th day of June, 2005.

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15 /S/ J. Kelley Arnold
16 J. Kelley Arnold
17 United States Magistrate Judge
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